

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Mary Aldritt	Art Unit:	1655
Serial No.:	10/759,892	Examiner:	Hoffman
Filed:	January 16, 2004	Confirmation No.:	8476
Customer No.:	27791		
Title:	EFFERVESCENT COMPOSITION INCLUDING CRANBERRY EXTRACT		

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

DECLARATION OF KYLE M. JOHNSON

I, Kyle M. Johnson, state and declare as follows:

1. I am a Development Scientist at Amerilab Technologies, Inc.
2. I have read and am familiar with AU 200157788 A1.
3. I prepared a cranberry fruit extract effervescent tablet according to the instructions set forth on pages 12-14 of AU 200157788 A1, with the following exceptions:

- a) instead of using a cranberry 25:1 fruit extract, I used a cranberry 18:1 fruit extract because I was not able to obtain a cranberry 25:1 fruit extract;
- b) instead of using powdered blackcurrant flavor, I used a spray dried, powdered cherry flavor, because, based on the information provided in AU 200157788 A1, I believed that it would behave similarly to the blackcurrant flavor;
- c) instead of using a two speed planetary mixing blade and a separate horizontally mounted high speed chopper mixer, I used a Kitchen Aid mixer due to the amount of material used in forming the tablets. The Kitchen Aid has a planetary mixing action; therefore, I expected it to mix the composition in a manner similar to that of the described mixer. The absence of the chopping action did not appear to affect how well the materials blended; and

**CERTIFICATE OF TRANSMISSION**

I hereby certify under 37 CFR §1.8(a) that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, by EFS-Web, on March 13, 2009.

  
Signature

Allison Johnson

Typed or Printed Name of Person Signing Certificate